

Listed on:

Court No.

Item No:

Section XI-A

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOs. 16624
OF 2012 WITH PRAYER FOR INTERIM RELIEF.**

VIVEKANANDA PAI & ORS.

..Petitioners

Versus

RAMA NAIKA & ORS.

..Respondents

OFFICE REPORT

The Office report on default was listed before the Hon'ble Judge in Chambers on 24th February, 2015 when the court was pleased to pass the following order:

“Learned counsel for the petitioners states, that he has no objection if the instant special leave petition is dismissed as against respondent no.17. Ordered accordingly. The instant special leave petition will be deemed to have been dismissed as against respondent no.17.

Learned counsel for the petitioners states, that he may be permitted further time to effect service on respondent no.1. Since the prayer is for an opportunity beyond the last chance allowed to the petitioners, I consider it just and appropriate to grant one further chance to the petitioners to effect service on respondent no.1, subject to payment of Rs.5,000/- as costs, to be deposited with the Supreme Court Legal Services Committee within four weeks from today.”

It is submitted for the information of the Ld. Registrar that in pursuance of the order quoted above SLP has been dismissed against Respondent No. 17. Cause title has been amended accordingly.

It is further submitted for the information of the Ld. Registrar that in pursuance of the order quoted above, counsel for the petitioners deposited Rs. 5000/- as costs with the Supreme Court Legal Services Committee and filed proof thereof and accordingly fresh show cause notice was issued to unserved Respondent No. 1 through usual mode as well as Trial Court. A compliance report dated 09.04.2015 has been received from Trial Court on 22.4.2015 stating therein that Respondent No. 1 has expired and the death certificate has also been enclosed

in support thereof. The Counsel for the petitioners has not taken steps to bring on record the Lrs. Of deceased Respondent No. 1 despite this Registry's letter dated 23.04.2015.

Service of show cause notice is not complete on Respondent No.1.

Dated this the 2nd day of May, 2015.

ASSISTANT REGISTRAR

Copy to :

Mr. A. Raghunath, Advocate (52, Lawyers Chambers)

Mr. S.N. Bhatt, Advocate (217, New Lawyers Chambers)

ASSISTANT REGISTRAR

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